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8 General Counsel for Richard A. Marshack,
Liquidating Trustee of the LPG Liquidation
9 Trust

10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

12 In re
13 THE LITIGATION PRACTICE GROUP P.C.,
14 Debtor.

Case No. 8:23-bk-10571-SC

Chapter 11

STIPULATION TO RESOLVE
BRANDON TURNER’S LIMITED
OBJECTION TO MOTION FOR ORDER
ESTABLISHING STREAMLINED
PROCEDURES GOVERNING
ADVERSARY PROCEEDINGS
BROUGHT BY THE TRUSTEE’S
GENERAL COUNSEL

19 Hearing

Date: April 23, 2025

Time: 1:00 p.m.

Ctrm: 5C

Place: 411 West Fourth Street
Santa Ana, CA 92701

22 This Stipulation (“Stipulation”) is entered into by and between Richard A. Marshack, in his
23 capacity as the Liquidating Trustee of the LPG Liquidation Trust (“Trustee”) for the Litigation
24 Practice Group, P.C. (“LPG” or “Debtor”), and Brandon Turner (“Turner”) with regard to the
25 following:
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Recitals

A. Debtor filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, on March 20, 2023 (“Petition Date”). Trustee was appointed on or about May 8, 2023, following the entry of an Order Directing United States Trustee to Appoint Chapter 11 Trustee (Bankr. Dkt. No 58) on May 4, 2023.

B. Effective September 24, 2024, Trustee became the Liquidating Trustee of the Debtor’s Liquidation Trust pursuant to the Order Confirming Modified First Amended Joint Chapter 11 Plan of Liquidation (the “Confirmation Order”) entered on September 9, 2024, and the Notice of Occurrence of Effective Date of Modified First Amended Joint Chapter 11 Plan of Liquidation filed on September 24, 2024 (the “Effective Date”). (Bankr. Dkt. Nos. 1646 and 1762.)

C. On March 4, 2025, Trustee, through his general counsel Marshack Hays Wood, LLP, filed a complaint against Turner commencing adversary proceeding no. 8:25-ap-01071 (the “First Adversary Proceeding”).

D. On March 19, 2025, Trustee, through his special litigation counsel Dinsmore & Shohl LLP, also filed a complaint against Turner and another individual, Mathew Bowyer, commencing adversary proceeding 8:25-ap-01210-SC (the “Second Adversary Proceeding”).

E. On April 1, 2024, Trustee filed his Motion for an Order Establishing Streamlined Procedures Governing Adversary Proceedings Brought by the Trustee’s General Counsel (the “Motion”). (Bankr. Dkt. No. 2356.)

F. The relief requested in the Motion is applicable only to the First Adversary Proceeding filed by Trustee’s general counsel.

G. On April 9, 2025, Turner filed a limited opposition (the “Limited Opposition”) to the Motion. (Bankr. Dkt. No. 2381.)

H. Trustee and Turner have now agreed to resolve the Limited Opposition as set forth in this Stipulation.

WHEREFORE, Trustee and Turner stipulate, agree and request that the Court enter an Order as follows:

Stipulation

1. The proposed Rule 26 procedure (Motion, pg. 10 of 40, ll. 1-4) applicable to Turner is reciprocal and will consist of “[c]opies, or a description by category and location, of all documents, electronically stored information, and tangible things that the defendant has in his/her possession, custody, or control and which are reasonably known to relate to the alleged claims or asserted defenses, unless the use would be solely for impeachment” and is subject to any appropriate claim of privilege that Turner and/or Trustee may have as provided in Rule 26(b)(5).

2. The proposed procedure (Motion, pg. 10 of 40, ll. 5-12) that arises if Turner claims that he is financially incapable of responding to Trustee’s complaint and wants Trustee to consider Turner’s claim in connection with settlement negotiations is voluntary and Turner is not required to produce or provide “sworn financials including a balance sheet and income statement disclosing all assets, liabilities, income, and expenses” (collectively, the “Financial Documents”) to Trustee under such circumstances. Similarly, Trustee is not required to consider or give any weight to claims by Turner of financial distress absent production of the Financial Documents.

3. Contemporaneously with the filing of this Stipulation, Turner shall withdraw the Limited Opposition to the Motion.

DATED: April 16, 2025

MARSHACK HAYS WOOD LLP

By:

D. EDWARD HAYS
AARON E. DE LEEST
BRADFORD N. BARNHARDT
General Counsel for Richard A. Marshack,
Liquidating Trustee of the LPG Liquidation Trust

DATED: April 16, 2025

JEFFREY S. SHINBROT, APLC

By:

JEFFREY S. SHINBROT
Counsel for Brandon Turner

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **STIPULATION TO RESOLVE BRANDON TURNER'S LIMITED OBJECTION TO MOTION FOR ORDER ESTABLISHING STREAMLINED PROCEDURES GOVERNING ADVERSARY PROCEEDINGS BROUGHT BY THE TRUSTEE'S GENERAL COUNSEL** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 16, 2025**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **April 16, 2025**, I delivered the document(s) described above via email to Omni Agent Solutions, Trustee's claims and noticing agent, for service on the interested persons and/or entities at the last known addresses by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid and addressed per the adversary mail matrix. Upon completion of the mailing by Omni Agent Solutions, Trustee will file a Certificate of Service listing the parties served by Omni Agent Solutions at the address at which they were addressed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
17542 17TH ST
SUITE 100
~~TUSTIN, CA 92780-1984~~

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **April 16, 2025**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:

PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

April 16, 2025
Date

Layla Buchanan
Printed Name

/s/ Layla Buchanan
Signature

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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